

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARK J. WILSON,

Appellant/Plaintiff,

v.

CV 07-457 WPL/LAM

JOHN BRENNAN, MICHELLE GEELS,
TOUR OF THE GILA INC., DOYNE
WREALLI and ROB NARVAEZ,

Appellees/Defendants.

ORDER GRANTING IN PART MOTION TO COMPEL

This matter is before me on Wilson's Motion to Compel Court Reporter to Execute the Transcript Order. On March 8, 2010, I held a status conference to allow Wilson, Reporters Ink and defense counsel Pamela Crane to explain the status of the various transcript requests and payment arrangements for the transcripts requested. It appears that Reporters Ink either did not receive Wilson's Amended Transcript Order Form, or misread it and did not realize Wilson was requesting additional transcripts.¹ Although Wilson claims to have faxed a request to Reporters Ink on January 6, 2010 in response to my order of January 5, 2010 ordering Wilson to execute the amended transcript form, Reporters Ink claims it did not receive the fax and Wilson has not provided a fax confirmation.

Accordingly, Wilson shall fax the Amended Transcript Order Form to Reporters Ink by March 9, 2010 and make satisfactory arrangements with Reporters Ink to pay for the transcripts

¹Ms. Crane represents that she emailed the Amended Transcript Order Form to Reporters Ink in November 2009 in an attempt to alleviate the confusion, clearly to no avail.

upon their completion.² I encourage Wilson to keep a copy of the fax confirmation. According to the District's Plan for Management of Court Reporting Services, Reporters Ink must deliver the transcripts within sixty days from the date on which they are ordered and satisfactory arrangements are made for payment. *See* Court Reporter Management Plan, ¶ 9. However, given the incredible delay in the production of these transcripts which appears due, at least in part, to a misunderstanding on the part of Reporters Ink, and given Reporters Ink's previous estimate that the transcripts would be completed by March 31, 2010, I encourage Reporters Ink to expedite the production of the transcripts. Reporters Ink should attempt to produce the transcripts by March 31, 2010 and must produce them by April 7, 2010.

The Clerk is directed to provide a copy of this order to Reporters Ink, care of Rhonda McCay, via facsimile at (915) 544-1725 and via first class mail at:

Wells Fargo Plaza
221 N. Kansas, Suite 1201
El Paso, Texas 79901

IT IS SO ORDERED.



WILLIAM P. LYNCH
UNITED STATES MAGISTRATE JUDGE

² Wilson shall also fax to Reporters Ink proof of payment of \$237.25 for previous transcripts which Reporters Ink claims Wilson has not paid.